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CLERK US DISTRICT COURT  
DISTRICT OF ARIZONA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,  
Plaintiff,

vs.

Robert Alan Wittenberg,  
Defendant.

**CR24-02540 TUC-RCC(BGM)**

**INDICTMENT**

Violations:

18 U.S.C. § 924(a)(1)(A)  
(Making a False Statement in Connection  
With Acquisition of Firearms)  
Counts 1-21

18 U.S.C. §§ 922(a)(1)(A) and  
924(a)(1)(D)  
(Engaging in the Business of Dealing  
Firearms without a License)  
Count 22

18 U.S.C. § 924(d) & 28 U.S.C. § 2461(c)  
(Forfeiture Allegation)

**THE GRAND JURY CHARGES:**

**COUNTS 1-21**

On or about the dates listed below, in the District of Arizona, the Defendant  
ROBERT ALAN WITTENBERG, in connection with the acquisition of firearms,

1 knowingly made false statements and representations to the businesses listed below, each  
 2 of which was a Federal Firearms Licensee licensed under the provisions of Chapter 44 of  
 3 Title 18, United States Code, with respect to information required by the provisions of  
 4 Chapter 44 of Title 18, United States Code, to be kept in the records of each business listed  
 5 below, in that Defendant stated in writing that his address was on N. Flores Drive, Tucson,  
 6 Arizona, whereas in truth and fact, that was not Defendant's current address;

Count	Date	FFL	Firearms
1	06/22/2023	USA Pawn & Jewelry	German Sports Guns, AK47, .22 caliber rifle
2	06/28/2023	USA Pawn & Jewelry	Glock, 37, .45 caliber pistol
3	06/28/2023	USA Pawn & Jewelry	Glock, 29, 10 mm pistol
4	06/28/2023	USA Pawn & Jewelry	Glock, 19, 9 mm pistol
5	07/25/2023	USA Pawn & Jewelry	Glock, 43X, 9 mm pistol
6	07/25/2023	USA Pawn & Jewelry	Smith & Wesson, M&P 9 M2.0, 9 mm pistol
7	08/04/2023	USA Pawn & Jewelry	Glock, 43X, 9 mm pistol
8	08/19/2023	USA Pawn & Jewelry	Glock, 30S, .45 caliber pistol
9	08/22/2023	USA Pawn & Jewelry	Taurus, PT1911 G2, 9 mm pistol
10	08/22/2023	USA Pawn & Jewelry	FMK, NVMN, 9 mm pistol
11	09/02/2023	USA Pawn & Jewelry	Glock, 19, 9mm pistol
12	09/13/2023	USA Pawn & Jewelry	Springfield, XD-45, .45 caliber pistol
13	09/13/2023	USA Pawn & Jewelry	Glock, 23, .40 caliber pistol
14	06/24/2023	USA Pawn & Jewelry	SCCY, CPX-2, 9mm pistol
15	06/24/2023	USA Pawn & Jewelry	Smith and Wesson, SD40VE, .40 caliber pistol

16	06/24/2023	USA Pawn & Jewelry	Llama, Max I, .45 caliber pistol
17	06/24/2023	USA Pawn & Jewelry	Smith and Wesson, SW9VE, 9mm pistol
18	09/13/2023	USA Pawn & Jewelry	Glock, 27, .40 caliber pistol
19	09/13/2023	USA Pawn & Jewelry	Glock, 44, .22 caliber pistol
20	09/13/2023	USA Pawn & Jewelry	Taurus, PT111 G2, 9mm pistol
21	09/13/2023	USA Pawn & Jewelry	Weirauch/Hermann, EA/R, .357 revolver

In violation of Title 18, United States Code, Section 924(a)(1)(A).

### **COUNT 22**

Between on or about June 22, 2023, and on or about September 26, 2023, in the District of Arizona, the Defendant ROBERT ALAN WITTENBERG, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing firearms;

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

### **FORFEITURE ALLEGATION**

Upon conviction of Counts 1 through 22 of the Indictment, the defendant, ROBERT ALAN WITTENBERG, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), any firearms involved in the commission of the offense, including, but not limited to:

#	Firearms	Serial Number
1	German Sports Guns, AK47, .22 caliber rifle	BL90164
2	Glock, 37, .45 caliber pistol	SCHP0346
3	Glock, 29, 10 mm pistol	BWKC376
4	Glock, 19, 9 mm pistol	BSKC032
5	Glock, 43X, 9 mm pistol	BWUX786
6	Smith & Wesson, M&P 9 M2.0, 9 mm pistol	NLF8468
7	Glock, 43X, 9 mm pistol	BVWP056
8	Glock, 30S, .45 caliber pistol	BXDS585



9	Taurus, PT1911 G2, 9 mm pistol	TKX50515
10	FMK, NVMN, 9 mm pistol	BT10581
11	Glock, 19, 9mm pistol	BFC693
12	Springfield, XD-45, .45 caliber pistol	US785310
13	Glock, 23, .40 caliber pistol	KFD349
14	SCCY, CPX-2, 9mm pistol	C197429
15	Smith and Wesson, SD40VE, .40 caliber pistol	FYK3601
16	Llama, Max I, .45 caliber pistol	07-04-17353-97
17	Smith and Wesson, SW9VE, 9mm pistol	DWK7123
18	Glock, 27, .40 caliber pistol	CSB356US
19	Glock, 44, .22 caliber pistol	AEKG309
20	Taurus, PT111 G2, 9mm pistol	TKM36840
21	Weirauch/Hermann, EA/R, .357 revolver	1757713

If any of the property described above, as a result of any act or omission of the defendants: a) cannot be located upon the exercise of due diligence; b) has been transferred or sold to, or deposited with, a third party; c) has been placed beyond the jurisdiction of the court; d) has been substantially diminished in value; or e) has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property, including, but not limited to, all property, both real and personal, owned by the defendant.

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1 All pursuant to Title 18, United States Code, Section 924(d), Title 28, United States  
2 Code, Section 2461(c) and Rule 32.2(a), Federal Rules of Criminal Procedure.

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4  
5 A TRUE BILL

6 /s/

7  
8 FOREPERSON OF THE GRAND JURY  
Dated: May 8, 2024

9  
10 GARY M. RESTAINO  
United States Attorney  
District of Arizona

REDACTED FOR  
PUBLIC DISCLOSURE

11 /s/

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13 BRANDON BOLLING  
Assistant U.S. Attorney  
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